

REMARKS

The Examiner has objected to Claim 23 due to informalities. Applicant has clarified such claim to avoid such objection.

The Examiner has rejected Claims 1-23 under 35 U.S.C. 102(b) as being anticipated by Czarnik et al. (U.S. Patent No. 5,812,529). Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove to each of the independent claims.

With respect to independent Claims 1, 11 and 21, the Examiner has relied on Col. 4, lines 1-54, Col. 9, lines 21-67 et al. in Czarnik to make a prior art showing of applicant's claimed "identifying a plurality of templates provided based on user input." Applicant respectfully asserts that such excerpts merely teach network sniffers that obtain "detailed information about packets" (Col. 1, lines 1-54) and a client that "receives data from the mission server...[and] formats the data and reports it to the user" (Col. 9, lines 21-67). Clearly, such teachings do not even suggest any sort of template, as claimed by applicant.

Applicant notes, however, that Czarnik does disclose "[t]emplate files [that] define packet formats for use in generating various types of packets for network traffic" (Col. 11, lines 1-45). However, Czarnik does not teach that such template files are "provided based on user input," as specifically claimed by applicant (emphasis added).

In addition, the Examiner has relied on Col. 9, lines 32-50 and Col. 11, lines 1-45 in Czarnik to make a prior art showing of applicant's claimed "querying a database for network traffic information based on the identified templates" (see independent Claims 1, 11 and 21). Applicant again respectfully asserts that such excerpts simply teach a client that "receives data from the mission server...[and] formats the data and reports it to the user" (Col. 9, lines 32-50). In addition, the templates disclosed in Czarnik only "define packet formats for use in generating various types of packets for network traffic" (Col.

11, lines 1-45-emphasis added). Thus, Czarnik's templates are merely used for generating packets, whereas applicant claims "querying a database for network traffic information based on the identified templates" (emphasis added).

To further emphasize this distinction, applicant points out Col. 10, line 66-Col. 11, line 17 in Czarnik which clearly states that "[o]nce the server defines the mission, it communicates...a series of files including Packet Descriptors, Environments, and Templates...[and] [t]hese files determine what traffic will be generated...and define what packets are expected to be received." Thus, in Czarnik, the templates are merely for use in generating packets, whereas applicant claims "querying...for network traffic information based on the identified templates" (emphasis added).

With respect to each of the independent claims, the Examiner has relied substantially relied on Col. 8, lines 32-67, Col. 10, lines 9-67, Col. 11, lines 1-45 in Czarnik to make a prior art showing of applicant's claimed "populating the templates with the network traffic information." Again, applicant respectfully asserts that such excerpts only teach templates that "define packet formats for use in generating various types of packets for network traffic" (emphasis added) and not for "populating the templates with the network traffic information" in the context claimed by applicant.

Still with respect to each of the independent claims, the Examiner has relied on Col. 9, lines 32-67 and Col. 10, lines 15-26 in Czarnik to make a prior art showing of applicant's claimed "reporting the network traffic information over a network utilizing the populated templates" (Claims 1, 11, 21 and 22) and "displaying the populated templates" (Claim 23). Applicant respectfully asserts that such excerpts only teach reporting data received at a client (Col. 9, lines 32-39), but such data is associated with a mission (see Col. 9, lines 21-31), and not "network traffic information," as claimed by applicant. Furthermore, the data reported by the client is not reported utilizing the populated templates, as claimed by applicant.

With respect to Claim 23, applicant emphasizes that at least the claim language highlighted below has not been met by the Czarnik reference, as argued by the Examiner:

- "(a) displaying an interface;
- (b) determining whether the interface is operating in a report mode or edit mode;
- (c) if the interface is operating in the edit mode:
  - (i) receiving input from a user,
  - (ii) generating a parameter file based on the input,
  - (iii) validating the parameter file, and
  - (iv) storing the parameter file; and
- (d) if the interface is operating in the report mode:
  - (i) identifying a user,
  - (ii) locating a parameter file, and
  - (iii) generating a report based on the parameter file by:
    - 1) identifying templates in the parameter file,
    - 2) retrieving templates of a first type from a first module,
    - 3) retrieving templates of a second type from a second  
module,
    - 4) querying a database, and
    - 5) populating the templates utilizing network traffic  
information retrieved in response to the querying,
  - (iv) displaying the populated templates.

For substantially the same reasons as argued above, applicant respectfully asserts that such above highlighted claim language has not been met by the Czarnik reference.

The Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the identical invention must be

- 10 -

shown in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.* 868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

This criterion has simply not been met by the Czarnik reference, especially in view of the amendments made hereinabove. Nevertheless, despite such paramount deficiencies and in the spirit of expediting the prosecution of the present application, applicant has substantially included the following claim language in each of the independent claims:

“wherein the reporting includes displaying a graphical user interface reflecting the populated templates” (see Claims 1, 11, 21 and 22); and

“wherein the templates are generated based on a plurality of user-configured parameters selected from the group consisting of network portions to be reported, a format of the reporting, and a time or period” (see Claims 1, 11 and 21-23).

Applicant respectfully asserts that a technique “wherein the reporting includes displaying a graphical user interface reflecting the populated templates” is not met by the Czarnik reference for substantially the same reasons as argued above with respect to Claim 23.

Furthermore, simply nowhere does the Czarnik reference even suggest that “the templates are generated based on a plurality of user-configured parameters selected from the group consisting of network portions to be reported, a format of the reporting, and a time or period” (emphasis added).

Applicant further notes that the prior art is also deficient with respect to the dependent claims. Just by way of example, with respect to Claims 6-10 et al., the Examiner has substantially relied on Col. 11, lines 1-45 and Col. 12, lines 20-67 in

Czarnik to make a prior art showing of applicant's claimed techniques "wherein the templates include templates of a first type and templates of a second type" (Claim 6 et al.), "wherein the templates of the first type and the templates of the second type differ with respect to a versatility thereof" (Claim 7 et al.), "wherein the templates of the first type and the templates of the second type differ with respect to a format thereof" (Claim 8 et al.), "wherein the templates of the first type are populated with the network traffic information utilizing a first module" (Claim 9 et al.), and "wherein the templates of the second type are populated with the network traffic information utilizing a second module" (Claim 10 et al.).

Applicant respectfully asserts that such excerpts do not specifically disclose that "the templates include templates of a first type and templates of a second type" (emphasis added). In fact, Czarnik only teaches that "[t]emplate files define packet formats" (Col. 11, lines 15-16) and only discloses the "composition of a template file" (see Col. 12, lines 20-41 emphasis added). Simply nowhere in Czarnik is there even a suggestion of utilizing two types of templates, let alone where they specifically "differ with respect to a versatility thereof" (Claim 7 et al.) or "differ with respect to a format thereof" (Claim 8 et al.).

Furthermore, Czarnik only discloses that the "information in the Template files [is used]...to generate traffic...or to determine what packets ...are expected [to be received]" (Col. 12, lines 42-48), which clearly does not teach that "the templates of the first type are populated with the network traffic information utilizing a first module" (Claim 9 et al.-emphasis added) and that "the templates of the second type are populated with the network traffic information utilizing a second module" (Claim 10 et al.-emphasis added).

Thus, in view of the arguments made hereinabove, a notice of allowance or a specific prior art showing of each of the foregoing claimed features, in combination with the remaining claimed features, is respectfully requested.

- 12 -

Still yet, applicant brings to the Examiner's attention the subject matter of new Claims 24-29 below, which are added for full consideration:

"wherein the templates are generated based on a plurality of user-configured parameters including the network portions to be reported, the format of the reporting, the time or period, where the network traffic information comes from, what type of network traffic information is used, and to what location the network traffic information is written" (see Claim 24);

"wherein the reporting includes a graph displaying error segments for a predefined period of time" (see Claim 25);

"wherein the reporting includes a graph displaying a list of busiest servers for a predefined period of time" (see Claim 26);

"wherein a plurality of monitoring agents are utilized to monitor the network traffic information" (see Claim 27);

"wherein the plurality of monitoring agents write the network traffic information to files which are utilized to populate the database" (see Claim 28); and

"wherein the database is populated according to a minute time interval" (see Claim 29).

Thus, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The

- 13 -

Commissioner is authorized to charge any additional fees or credit any overpayment to  
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Respectfully submitted,  
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